COPY

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ENDORSED
FILED
San Francisco County Superior Court
MAY 17 2004
GORDON PARK-LI, Clerk
BY NADITA MASON
Deputy Clerk

SUPERIOR COURT OF CALIFORNIA

COUNTY OF SAN FRANCISCO

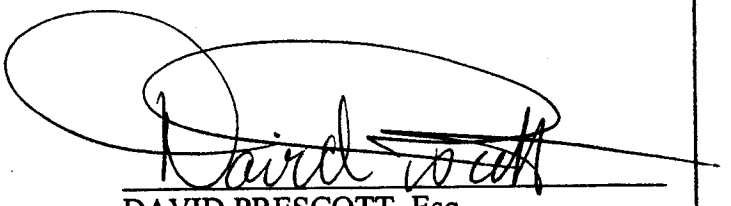
LAURENCE TAIN, D.C.; DONALD NIELSEN, D.C.; ROBERT BITTERS, D.C.; STEPHANIE WATTENBERG, D.C.; and LORI PRESCOTT, D.C. Plaintiffs/Petitioners, v. STATE BOARD OF CHIROPRACTIC EXAMINERS; CALIFORNIA ACUPUNCTURE BOARD; THE COUNCIL ON CHIROPRACTIC EDUCATION, INC.; and DOES 1 to 20 Defendants/Respondents.	NO: CGC-03-419378 NOTICE OF PARTIAL APPEAL; ELECTION TO PROCEED UNDER CALIFORNIA RULE OF COURT 5.1

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

NOTICE IS HEREBY GIVEN that the Plaintiff/Petitioners LAURENCE TAIN, D.C.; DONALD NIELSEN, D.C.; ROBERT BITTERS, D.C.; STEPHANIE WATTENBERG, D.C.; and LORI PRESCOTT, D.C. appeal from the judgment in favor of the Defendant/Respondent STATE BOARD OF CHIROPRACTIC EXAMINERS entered on April 20, 2004 following an order granting the STATE BOARD OF CHIROPRACTIC EXAMINER'S motions for summary judgment as to the First, Second and Third Causes of Action to the Plaintiff/Petitioners Second Amended Complaint.

NOTICE IS FURTHER GIVEN that the Plaintiff/Petitioners elect to proceed under the provisions of rule 5.1 of the California rules of Court.

Dated: May 10, 2004



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(PROOF OF SERVICE BY MAIL – 1013a, 2015 C.C.P.)

STATE OF CALIFORNIA)
) ss.
COUNTY OF ORANGE)

I am a citizen of the United States. I am over the age of eighteen years and not a party to the within entitled action. My business address is 22365 El Toro Rd., Suite 109, Lake Forrest, California 92630.

On May 10, 2004 I served the within NOTICE OF PARTIAL APPEAL; ELECTION TO PROCEED UNDER CALIFORNIA RULE OF COURT 5.1 on the Chiropractic Board, Acupuncture Board and on The Council on Chiropractic Education by placing a true and correct copy in a sealed envelope addressed as follows:

CHIROPRACTIC BOARD
Ms. Char Sachson, Esq.
Deputy Attorney General
455 Golden Gate Ave., Ste. 11000
San Francisco, Calif. 94102-3664

ACUPUNCTURE BOARD
Mr. Jose Guerrero, Esq.
Deputy Attorney General
1515 Clay St., 20th Floor
Oakland, Calif. 94612-0550

THE COUNCIL ON CHIROPRACTIC EDUCATION
Mr. Michael Schroeder, Esq.
1851 East First Street, Suite 1160
Santa Ana, Calif. 92705

I deposited the envelope in the U.S. Postal Service the same day with first-class postage thereon fully prepaid at Lake Forrest, California.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct.

Executed on May 10, 2004, at Lake Forrest, California

David Prescott